

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DAVID PATTERSON

PLAINTIFF

V.

CIVIL ACTION NO. 3:23-CV-3-DPJ-ASH

UNITED STATES OF AMERICA

DEFENDANT

ORDER

Federal inmate David Patterson sued the United States pro se under the Federal Tort Claims Act, alleging negligence in his care. Compl. [1]. Patterson filed a combined motion [70] seeking an amendment of his complaint, injunctive relief, and compassionate release. United States Magistrate Judge Andrew S. Harris recommends denying these motions. R&R [101]. His Report and Recommendation issued on January 31, 2025, from which Patterson had fourteen days to object. Fed. R. Civ. P. 72(b)(2); *see* R&R [101] at 9 (advising Patterson of deadline). No objection has been filed, and the time to do so has passed.

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee’s note (1983), *quoted in Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded on other grounds by* 28 U.S.C. § 636(b)(1) *as noted in Alexander v. Verizon Wireless Servs., L.L.C.*, 875 F.3d 243, 248 (5th Cir. 2017). Having reviewed the record and found no clear error, the Court accepts the well-reasoned recommendations of Judge Harris.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge Andrew S. Harris [101] is adopted as the findings and holdings of this Court.

Patterson's motion [70] is denied with prejudice as to leave to amend to state a retaliation claim and denied without prejudice in all other respects.

SO ORDERED AND ADJUDGED this the 20th day of February, 2025.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE